

In The United States District Court  
For The Middle District of Alabama

RECEIVED

Eric Thomas Bey #137013

2005 SEP 29 A 9:19

Plaintiff

v.  
Larry Ligon, et al.

Defendants

CIVIL ACTION NO. 2005-CV-605-F  
MIDDLE DISTRICT OF ALA

Sworn Affidavit

Before me, The Undersigned Authority, A Notary Public in and for said County  
and State of Alabama, at Large, Appearred ERIC THOMAS-Bey, Who Being  
known by me and Being By me first duly Sworn, deposes and says under  
oath as follows:

My Name is Eric Thomas Bey #137013 and I am The Plaintiff in this  
Action. I am presently at The Bullock County Corr. Facility P. O. Box 5107  
Union Springs, Al. 36089, I am Over twenty-one (21) years of age.

I first state that although The Court gave the Defendants an Order to  
answer the allegations. Sgt Ligon did not address the issues.

I and My two key Witnesses, Inmate Sanford Higden #158516 and  
Joseph Carr #156107 Tried talking to Ligon who always made Excuses.

Since the Filing of this Actions Both of my Witnesses Had Prepared to file  
Affidavits Done. But Defendant Ligon Confiscated Inmate Higden's Affidavit  
Inwhich both became afraid to give Affidavits, But Both stated that they  
Would if Protected and Called upon by the Court, They Would Tell the Truth.

The laundry that Defendant Ligon wrote me up for Belonged to Inmate  
Higden. Inmate Carr was also in the laundry and witnessed the whole ordeal.  
Defendant Ligon when learning the truth, He Called me to the shift office

and told me that another inmate had secretly told him the truth of whose laundry cart he had found clothes in. I told Sgt. Ligon that all that he had to do from the beginning was look at the laundry numbers on the clothes and ask the inmates to whom the clothes belonged to which laundry man they had given their clothes to, but he made me feel as if he already knew and personally told me that he would leave a note for the Captain. Days later after I was served the approved citation, I again spoke with Sgt. Ligon and he said he would talk to the Captain. When I saw him again he stated that Captain Nettler would not disapprove it and when Nettler admitted that it was his fault, he still wouldn't do anything and as a result I lost my job and other privileges.

If I had been wrong this case would not be before the court. But I was right but wrongly charged. It's not about the citation, but about DEC officials serving citation on inmates illegally and when they know they are wrong they refuse to correct it. This citation could hinder transferring, custody parole etc.

And I now believe that maybe Ligon didn't talk to the Captain. Maybe he didn't go to him and admit that he had written up the wrong inmate. However if he had properly investigated it, this matter would not be before the court.

Every inmate is assigned a laundry number and card. The clothes he got he could have easily looked at the cards to determine who they belonged to. He could have simply sat for them and asked who is your laundry man or who did you give your clothes to and they would have said Sanford Hyden aka Sugg. But he wasn't concerned with investigating he wanted me and he falsely charged me.

Again he did not answer my allegations and such should be

Accepted As True.

I am Requesting a Hearing and that the Named Witnesses Be Called  
to Testify.

I Swear that all the Beforementioned is True Under the Penalty of Perjury

Eric K. Kinsel (Buy)

Sworn to and Subscribed Before Me On this 23rd Day of September 2005

Lorraine L. Anthony

Notary Public  
NOTARY PUBLIC STATE OF ALABAMA AT LARGE  
MY COMMISSION EXPIRES: Mar 18, 2007

My Commission Expires.

*Certificate of Service*

I hereby certify that I have on this 27th day of September 2005  
Served a copy of the same on the Attorney for the Defendants by Prepaid  
US Mail

*Eric Thomas Bay*

Eric Thomas Bay

#137013

P.O. Box 5107

Union Springs, Al. 36089